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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Esser, F., et al ) Art Unit: 1626  
U.S. Appln. No. : 10/827,408 ) Examiner: Powers, F.  
Confirmation No. : 2596  
U.S. Filing Date : April 19, 2004  
Title of Invention : Compounds and Methods for Treating Urinary Incontinence  
Attny. Docket No.: 1/1003-4-C3

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

May 31, 2005

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

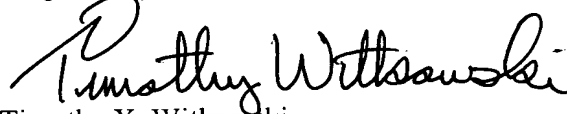
☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



Timothy X. Witkowski  
Attorney for Applicant(s)  
Reg. No. 40,232

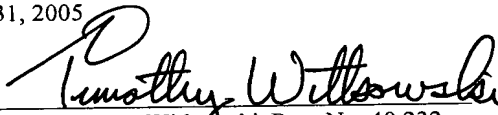
Patent Department  
Boehringer Ingelheim Corp.  
900 Ridgebury Road, P.O. Box 368  
Ridgefield, CT 06877  
Tel: (203) 798-4310

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on May 31, 2005



Timothy X. Witkowski, Reg. No. 40,232

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**Complete if Known**

<b>Application Number</b>	10/827,408
<b>Filing Date</b>	April 19, 2004
<b>First Named Inventor</b>	Esser, F. et al
<b>Group Art Unit</b>	1626
<b>Examiner Name</b>	Powers, F.,
<b>Attorney Docket Number</b>	1/1003-4-C3

Sheet 1 of 3

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		3,081,222		Hagelman, H.A., et al	0312/1963	
		4,355,033		Ramuz, H.	10/19/1982	
		4,861,189		Fukukawa, M., et al	08/29/1989	
		5,130,441		Gluchowski, C.	07/14/1992	
		5,237,032		DeMeuse, M.T. et al ,	08/17/1993	
		4,587,257		DeSantis, L.M., et al	05/06/1986	
		4,287,201		Olson, G., et al	09/01/1981	
		4,213,995		Staehle, H., et al	07/22/1980	
		4,226,773		Kynel, J.J.	10/07/1980	
		3,931,216		Franzmair, R.	01/06/1976	
		3,202,660		Zeile, K., et al	08/24/1965	
		4,861,789		Berge, et al	08/1989	
		5,237,072		Gluchowski, C.	08/1993	
		4,461,904		York, Billie M., Jr.	07/27/1984	
		5,380,742		Servnie, Mireille et al	01/10/1995	
		4,596,818		Newsome, Peter et al	06/24/1986	
		4,644,007		York, Billie M., Jr.	02/17/1987	

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		EP	0 236 636	A2	Alcon Lab., Inc.	09/16/1987		
		WO	94/08040	A1	Synaptic Pharm. Corp.	04/14/1994		
		EP	0 070 084	A2	Beecham Group, PLC	01/19/1983		
		EP	0 117 102	A1	Beecham Group, PLC	08/29/1984		
		EP	0 081 923	A2	Alcon Lab., Inc.	06/22/1983		
		EP	0 081 924	A1	Alcon Lab., Inc.	06/22/1983		
		DE	28 54 659	A1	CH Boehringer Sohn	07/10/1980		
		DE	28 06 811	A1	CH Boehringer Sohn	08/23/1979		
		EP	0 599 697	A1	Synthelabo	06/01/1994		

Date	
Considered	

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/824,408	
			Filing Date	April 19, 2004	
			First Named Inventor	Esser, F. et al	
			Group Art Unit	1626	
			Examiner Name	Powers, F.,	
Sheet	2	of	3	Attorney Docket Number	1/1003-4-C3

[illegible][illegible]

Examiner Signature		Date Considered	
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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

3

of

3

**Complete if Known**

Application Number

10/827,408

Filing Date

April 19, 2004

First Named Inventor

Esser, F., et al

Art Unit

1626

Examiner Name

Fiona Powers

Attorney Docket Number

1/1003-4-C3

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		NORDLING, J., et al; "Sympathetic Influence of Striated Urethral Sphincter in Urinary Incontinence", Prog. Clin. Biol. Res., Vol. 78, pages 101-103; 1981	
		RANDALL, W.C., et al; "Multiple Central Alpha 1 Adrenoceptors of Avian and Mammalian Species"; Biochem. Pharmacol., Vol. 32, No. 12, Pgs 1933-1940; 1983	
		KONTANI, H., et al; "Effects of Adrenergic Agonists on an Experimental Urinary Incontinence Model in Anesthetized Rabbits"; Jpn. J. Pharmacol., Vol. 58, No. 4 pages 339-346; 1992	
		VAN SAVAGE, J.G., et al; "Effects of Alpha-Adrenergic Agonist on Neobladder Water and Electrolyte Transport", Urology, Vol. 43, No. 3, pages 324-327, 1994	

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SignatureDate  
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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